

MINUTES OF SPECIAL MEETING
MAPLE-STEELE JOINT WATER RESOURCE DISTRICT
PAGE AUDITORIUM
PAGE, NORTH DAKOTA
APRIL 2, 2014

The Maple-Steele Joint Water Resource District met on Wednesday, April 2, 2014, at 10:00 a.m. at the Page Auditorium, Page, North Dakota.

Present were Jurgen Suhr, Chairman; Rodger Olson and Gerald Melvin, Maple River Water Resource District; Josh Ihry, Tor Bergstrom and Greg Thykeson, Steele County Water Resource District; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; and those whose names appear on the attached roster.

Chairman Suhr called the meeting to order and introductions were made.

Upper Maple River Dam – project hearing

Mike Opat gave a PowerPoint presentation and reviewed the meeting agenda. He explained that today's meeting is for informational purposes only, and there will be an opportunity to protest specific assessments at an assessment protest hearing, if the vote is successful.

Mr. Opat discussed the history of the proposed Upper Maple River Dam and said that numerous public outreach meetings have been held over the years since the initial interest for retention on the Upper Maple River began in 1996. He gave a status update for the dam, saying the design remains the same with updated hydrology and added mitigation measures. The Corps of Engineers' Section 404 Permit and the North Dakota Department of Health Section 401 Permit have both been granted to the Upper Maple River Dam, and the permit application was submitted in the fall of 2013 to the North Dakota State Engineer's office.

Mr. Opat reviewed a potential schedule for the Upper Maple River Dam if the vote passes. He reminded those present that project ballots are due at 5:00 p.m. on Friday, May 2, 2014. If the vote passes, Mr. Opat said progress will start soon after on preparing final plans and specifications and right-of-way acquisition. The assessment protest hearing will be held in June 2014. Mr. Opat reviewed a potential schedule for bidding, awarding the contract and beginning construction.

Mr. Opat presented a map of the proposed Upper Maple River Dam, showing the embankment, tie off levee and the elevations of the top of the dam and spillways. The map was also handed out to those present at the hearing.

Mr. Opat explained the proposed project is considered a dry dam, meaning there are no gates and it will control itself. He then showed conceptual renderings of the 65' concrete spillway and the tie-off levee. He stressed that the design of the spillway and the tie-off levee are preliminary, and can be altered. The Upper Maple River Dam will provide 9 times the storage of the existing Sussex Dam upstream.

Impacts to nearby roads were discussed. Mr. Opat said 10th street, between sections 22 and 27 of Carpenter Township in Steele County, would be the only road raised for the project, where a new box culvert would also be installed.

Mr. Opat briefly reviewed the Maple River Watershed Comprehensive Detention Plan and discussed the potential downstream benefits of the proposed Upper Maple River Dam. He reviewed hydrographs from the Detention Plan, which show a 90% peak reduction in a 10-year, 24-hour event, and a 92% peak reduction in a 25-year, 24-hour event at the proposed dam. He went on to say a 100-year, 24-hour event at the proposed dam site showed a peak reduction of 86%, and a 100-year snowmelt event at the same site showed a 58% peak reduction. Mr. Opat reviewed results of the Detention Study from numerous reporting sites in the Maple River Watershed.

Project costs from previous studies and estimations of construction costs were reviewed. Mr. Opat discussed potential cost-share funding opportunities, saying the North Dakota State Water Commission may commit 60% cost-share of eligible costs, the Red River Joint Water Resource District may commit 65% cost-share of local costs, including engineering and right-of-way costs, and Cass County could cost-share 50% of the remaining local costs if the vote passes. Additional opportunities for cost-share from Cass County Flood Sales Tax, Federal dollars and the Diversion Authority were discussed.

Mr. Opat explained direct and indirect assessments for the proposed dam, saying direct assessments are voted on and paid by the landowners, and indirect assessments are voted on and paid by the Maple River Water Resource District. He explained the assessments for the Maple River Water Resource District would be paid by the maintenance fund of Drain Nos. 46 and 56. Mr. Opat reviewed assessment variables, explaining they have potential to change. Actual costs, such as right-of-way purchases and construction, funding from cost-share, potential changes to the assessment district and bonding can all effect the final assessments. He reminded those present that by law, assessments cannot exceed the amount voted on by 20%. An example of how the direct and indirect assessments could be calculated was shown on a map of the watershed. Mr. Opat reminded those present that owners of property required for the project also have the opportunity to submit right-of-way or protest votes, based on tax assessed value per the county tax rolls.

The meeting was then opened up for questions from the public. James Hanson asked why water needs to be held back, and how many times in the last 30 years flooding has impacted farmland in the area. Mr. Opat explained the Board sees the need as always being there. Manager Suhr says he believes overland flooding has impacted farmland every year.

Herald Zerface asked when property owners were going to be contacted by the Board regarding right-of-way for the project, and if Board is interested in individual meetings. Mr. Opat informed Mr. Zerface that there have already been discussions with several property owners, and if the vote passes, negotiations can commence. The Board would like the process to be as convenient for landowners as possible, and are willing to meet with landowners individually.

Bruce Anderson asked if there will be money available for maintaining the proposed dam and the downstream channels. Mr. Opat said currently, proposed assessments are to help with construction costs. If the project passes, an assessment district, which would follow similar boundaries, would be put in place for maintenance on the dam. Maintenance assessments for the dam have not been calculated at this stage in the process. Mr. Opat also said maintenance assessment funds from Drains #46 and #56 could be used to maintain the channel.

A resident of Cornell Township asked if there will be some overlap of assessments for Drain #56 and the proposed project. Mr. Opat said there may be some overlap on a few properties, as they will benefit from both Drain #56 and the proposed project.

Adjournment

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

Jurgen Suhr
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer